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Attorney for Jamar Richardson

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,
Plaintiff,

vs.

JOSHUA COLA and JAMAR
RICHARDSON,
Defendants.

CASE NO: 2:20-cr-295-JCM-EJY

**STIPULATION TO CONTINUE MOTION
DEADLINES**

(Fourth Request)

IT IS HEREBY STIPULATED AND AGREED by JAMAR RICHARDSON, by and through his attorney, JAMES A. ORONoz ESQ.; JOSHUA COLA, by and through his attorney, NISHA BROOKS-WHITTINGTON; and the United States of America, by and through MELANEE SMITH, ESQ., Assistant United States Attorney as follows:

IT IS HEREBY STIPULATED AND AGREED, by and between the parties herein that they shall have to and including July 19, 2021, to file any and all pretrial motions and notices of defense.

IT IS HEREBY STIPULATED AND AGREED, by and between the parties that they shall have to and including August 2, 2021, to file any and all responsive pleadings.

1 IT IS STIPULATED AND AGREED, by and between the parties that they shall
2 have to and including August 16, 2021, to file any and all replies to dispositive motions.

3 IT IS FURTHER STIPULATED AND AGREED, by and between the parties that the
4 current trial date of October 18, 2021, will remain on calendar and unchanged, with a
5 Calendar Call of October 13, 2021.

6 The request for a continuance is based upon the following:

- 7 1. The parties require additional time to review the discovery and determine
8 whether there are issues that must be litigated before proceeding to trial.
- 9 2. The additional time requested by this Stipulation is excludable in computing
10 the time within which the trial herein must commence pursuant to the Speedy
11 Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering
12 the factors under Title 18, United States Code §§ 3161(h)(7)(B)(i) and
13 3161(h)(7)(B)(iv).
- 14 3. The parties agree that the deadlines for pretrial motions and notices of
15 defense should also be continued.
- 16 4. JAMAR RICHARDSON is in custody and he does not oppose the requested
17 continuance.
- 18 5. JOSHUA COLA is in custody and he does not oppose the requested
19 continuance.
- 20 6. The Government has no objection to the continuance.
- 21 7. Denial of this request for continuance would deny the defendants the
22 opportunity to effectively prepare for trial.
- 23 8. The additional time requested herein is not sought for purposes of delay.
- 24 9. Additionally, denial of this request for continuance could result in a
25 miscarriage of justice.

26 This is the fourth stipulation to continue filed herein.

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1 DATED: May 26th , 2021

2 Respectfully submitted,

3 /s/ James A. Oronoz

4 James A. Oronoz, Esq.
Oronoz & Ericsson, LLC
5 1050 Indigo Drive, Suite 120
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6 Attorney for Jamar Richardson

/s/ Melanee Smith

Melanee Smith, Esq.
Assistant United States Attorney
501 Las Vegas Blvd. South, Suite 1100
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Attorney for the United States of America

7
8 /s/ Nisha Brooks-Whittington

Nisha Brooks-Whittington, Esq.
9 Federal Public Defender, District of Nevada
411 E. Bonneville Ave.
10 Las Vegas, Nevada 89101
11 Attorneys for Joshua Cola

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Attorney for Jamar Richardson

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
* * *

UNITED STATES OF AMERICA,
Plaintiff,

vs.

JOSHUA COLA and JAMAR
RICHARDSON,
Defendants.

CASE NO: 2:20-cr-295-JCM-EJY

ORDER

(Fourth Request)

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds:

1. The parties require additional time to review the discovery and determine whether there are issues that must be litigated before proceeding to trial.
2. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code §§ 3161(h)(7)(B)(i) and 3161(h)(7)(B)(iv).
3. The parties agree that the deadlines for pretrial motions and notices of defense should also be continued.

4. JAMAR RICHARDSON is in custody and he does not oppose the requested continuance.
5. JOSHUA COLA is in custody and he does not oppose the requested continuance.
6. The Government has no objection to the continuance.
7. Denial of this request for continuance would deny the defendants the opportunity to effectively prepare for trial.
8. The additional time requested herein is not sought for purposes of delay.
9. Additionally, denial of this request for continuance could result in a miscarriage of justice.

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interests of the public and the defendants in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for trial, taking into account the exercise of due diligence.

The continuance sought herein is excludable under the Speedy Trial Act, Title 18, United States Code, Section § 3161 (h)(7)(A), when considering the factors under Title 18, United States Code, Section § 3161 (h)(7)(B)(i), (iv).

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ORDER

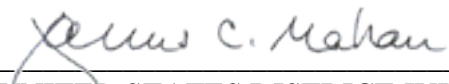
IT IS THEREFORE ORDERED that the parties shall have to and including July 19, 2021, to file any and all pretrial motions and notices of defense.

IT IS THEREFORE ORDERED that the parties shall have to and including August 2, 2021, to file any and all responsive pleadings.

IT IS THEREFORE ORDERED that the parties shall have to and including August 16, 2021, to file any and all replies to dispositive motions.

IT IS FURTHER THEREFORE ORDERED shall the current trial date of October 18, 2021, will remain on calendar and unchanged, with a Calendar Call of October 13, 2021.

DATED May 28, 2021.


UNITED STATES DISTRICT JUDGE